

Senate Engrossed House Bill

hunting; fishing; license; deferred prosecution

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

CHAPTER 54
HOUSE BILL 2603

AN ACT

AMENDING SECTIONS 17-309 AND 17-340, ARIZONA REVISED STATUTES; RELATING TO
THE GAME AND FISH COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 17-309, Arizona Revised Statutes, is amended to
3 read:

4 17-309. Violations; classification

5 A. Unless otherwise prescribed by this title, it is unlawful for a
6 person to:

7 1. Violate any provision of this title or any rule adopted pursuant
8 to this title.

9 2. Take, possess, transport, release, buy, sell or offer or expose
10 for sale wildlife except as expressly permitted by this title.

11 3. Destroy, injure or molest livestock, growing crops, personal
12 property, notices or signboards, or other improvements while hunting,
13 trapping or fishing.

14 4. Discharge a firearm while taking wildlife within one-fourth mile
15 of an occupied farmhouse or other residence, cabin, lodge or building
16 without permission of the owner or resident.

17 5. Take a game bird, game mammal or game fish and knowingly ~~permit~~
18 ~~ALLOW~~ an edible portion thereof to go to waste, except as provided in
19 section 17-302.

20 6. Take big game, except bear or mountain lion, with the aid of
21 dogs.

22 7. Make more than one use of a shipping permit or coupon issued by
23 the commission.

24 8. Obtain a license or take wildlife during the period for which
25 the person's license has been revoked or suspended or the person has been
26 denied a license.

27 9. Litter hunting and fishing areas while taking wildlife.

28 10. Take wildlife during the closed season.

29 11. Take wildlife in an area closed to the taking of that wildlife.

30 12. Take wildlife with an unlawful device.

31 13. Take wildlife by an unlawful method.

32 14. Take wildlife in excess of the bag limit.

33 15. Possess wildlife in excess of the possession limit.

34 16. Possess or transport any wildlife or parts of the wildlife that
35 was unlawfully taken.

36 17. Possess or transport the carcass of big game without a valid tag
37 being attached.

38 18. Use the edible parts of any game mammal or any part of any game
39 bird or nongame bird as bait.

40 19. Possess or transport the carcass or parts of a carcass of any
41 wildlife that cannot be identified as to species and legality.

42 20. Take game animals, game birds and game fish with an explosive
43 compound, A poison or any other deleterious substances.

44 21. Import into this state or export from this state the carcass or
45 parts of a carcass of any wildlife unlawfully taken or possessed.

1 B. Unless a different or other penalty or punishment is
2 specifically prescribed, a person who violates any provision of this
3 title, or who violates or fails to comply with a lawful order or rule of
4 the commission, is guilty of a class 2 misdemeanor.

5 C. A person who knowingly takes any big game during a closed season
6 or who knowingly possesses, transports or buys any big game that was
7 unlawfully taken during a closed season is guilty of a class 1
8 misdemeanor.

9 D. A person is guilty of a class 6 felony who knowingly:

10 1. Barters, sells or offers for sale any big game or parts of big
11 game taken unlawfully.

12 2. Barters, sells or offers for sale any wildlife or parts of
13 wildlife unlawfully taken during a closed season.

14 3. Barters, sells or offers for sale any wildlife or parts of
15 wildlife imported or purchased in violation of this title or a lawful rule
16 of the commission.

17 4. Assists another person for monetary gain with the unlawful
18 taking of big game.

19 5. Takes or possesses wildlife while under permanent revocation
20 under section 17-340, subsection ~~B~~ C, paragraph 3.

21 E. A peace officer who knowingly fails to enforce a lawful rule of
22 the commission or this title is guilty of a class 2 misdemeanor.

23 Sec. 2. Section 17-340, Arizona Revised Statutes, is amended to
24 read:

25 17-340. Revocation, suspension and denial of privilege of
26 taking wildlife; civil penalty; notice; violation;
27 classification

28 A. On conviction, ON ENTERING A DEFERRED PROSECUTION AGREEMENT or
29 after adjudication as a delinquent juvenile as defined in section 8-201
30 and in addition to other penalties prescribed by this title, the
31 commission, after a public hearing, may revoke or suspend a license issued
32 to any person under this title and deny the person the right to secure
33 another license to take or possess wildlife for a period of not to exceed
34 five years for:

35 1. Unlawful taking, unlawful selling, unlawful offering for sale,
36 unlawful bartering or unlawful possession of wildlife.

37 2. Careless use of firearms that resulted in the injury or death of
38 any person.

39 3. Destroying, injuring or molesting livestock, ~~or~~ or damaging or
40 destroying growing crops, personal property, notices or signboards or
41 other improvements while hunting, trapping or fishing.

42 4. Littering public hunting or fishing areas while taking wildlife.

43 5. Knowingly allowing another person to use the person's big game
44 tag, except as provided by section 17-332, subsection D.

1 6. A violation of section 17-303, 17-304, 17-316 or 17-341 or
2 section 17-362, subsection A.

3 7. A violation of section 17-309, subsection A, paragraph 5
4 involving a waste of edible portions other than meat damaged due to the
5 method of taking as follows:

6 (a) Upland game birds, migratory game birds and wild turkey:
7 breast.

8 (b) Deer, elk, pronghorn (antelope), bighorn sheep, bison (buffalo)
9 and peccary (javelina): hind quarters, front quarters and loins.

10 (c) Game fish: fillets of the fish.

11 8. A violation of section 17-309, subsection A, paragraph 1
12 involving any unlawful use of aircraft to take, assist in taking, harass,
13 chase, drive, locate or assist in locating wildlife.

14 9. A VIOLATION OF TITLE 13 INVOLVING THE TAKING OR POSSESSION OF
15 WILDLIFE.

16 B. AN ACTIVE LICENSE REVOCATION FOR AN AGREEMENT TO DEFER
17 PROSECUTION TERMINATES AFTER THE LICENSEE PROVIDES PROOF TO THE COMMISSION
18 THAT:

19 1. THE LICENSEE SATISFACTORILY COMPLETED THE TERMS AND OBLIGATIONS
20 OF A DEFERRED PROSECUTION PROGRAM.

21 2. THE CRIMINAL CHARGES FILED AGAINST THE LICENSEE ARE DISMISSED.

22 3. THE LICENSEE COMPLETED ALL REQUIRED TRAINING COURSES.

23 4. THE LICENSEE PAID IN FULL ALL CIVIL PENALTIES IMPOSED PURSUANT
24 TO SECTION 17-314.

25 ~~B.~~ C. On conviction or after adjudication as a delinquent juvenile
26 and in addition to any other penalties prescribed by this title:

27 1. For a first conviction or a first adjudication as a delinquent
28 juvenile, for unlawfully taking or wounding wildlife at any time or place,
29 the commission, after a public hearing, may revoke, suspend or deny the
30 person's privilege to take wildlife for a period of up to five years.

31 2. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, for a second
32 conviction, ON ENTERING A SECOND AGREEMENT TO DEFER PROSECUTION, ~~OR~~ FOR a
33 second adjudication as a delinquent juvenile OR ANY COMBINATION OF
34 CONVICTIONS, DEFERRED PROSECUTION AGREEMENTS OR ADJUDICATIONS THAT
35 CONSTITUTE A SECOND FINAL DISPOSITION, for unlawfully taking or wounding
36 wildlife at any time or place, the commission, after a public hearing, may
37 revoke, suspend or deny the person's privilege to take wildlife for a
38 period of up to ten years.

39 3. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, for a third
40 conviction, ON ENTERING A THIRD AGREEMENT TO DEFER PROSECUTION, ~~OR~~ FOR a
41 third adjudication as a delinquent juvenile OR ANY COMBINATION OF
42 CONVICTIONS, DEFERRED PROSECUTION AGREEMENTS OR ADJUDICATIONS THAT
43 CONSTITUTE A THIRD FINAL DISPOSITION, for unlawfully taking or wounding
44 wildlife at any time or place, the commission, after a public hearing, may

1 revoke, suspend or deny the person's privilege to take wildlife
2 permanently.

3 ~~D.~~ D. In accordance with title 41, chapter 6, article 10 and
4 notwithstanding subsection A of this section, a person against whom the
5 commission imposes a civil penalty under section 17-314 for the unlawful
6 taking, wounding, killing or possession of wildlife may be denied the
7 right to obtain a license to take wildlife until the person ~~has made full~~
8 ~~payment of~~ PAYS the civil penalty IN FULL.

9 ~~E.~~ E. On receiving a report from the licensing authority of a
10 state that is a party to the wildlife violator compact adopted under
11 chapter 5 of this title that a resident of this state has failed to comply
12 with the terms of a wildlife citation, the commission, after a public
13 hearing, may suspend any license issued under this title to take wildlife
14 until the licensing authority furnishes satisfactory evidence of
15 compliance with the terms of the wildlife citation.

16 ~~F.~~ F. In carrying out this section, the director shall notify the
17 licensee, within one hundred eighty days after conviction, to appear and
18 show cause why the license should not be revoked, suspended or denied.
19 The notice may be served personally or by certified mail sent to the
20 address appearing on the license.

21 ~~G.~~ G. The commission shall furnish to license dealers the names
22 and addresses of persons whose licenses have been revoked or
23 suspended, and the periods for which they have been denied the right to
24 secure licenses.

25 ~~H.~~ H. The commission may use the services of the office of
26 administrative hearings to conduct hearings and to make recommendations to
27 the commission pursuant to this section.

28 ~~I.~~ I. Except for a person who takes or possesses wildlife while
29 under permanent revocation, a person who takes wildlife in this state, or
30 attempts to obtain a license to take wildlife, at a time when the person's
31 privilege to do so is suspended, revoked or denied under this section is
32 guilty of a class 1 misdemeanor.

APPROVED BY THE GOVERNOR APRIL 14, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 14, 2025.